

**AMENDMENTS TO THE CLAIMS**

Claims 1 - 3. (Canceled).

4. (Currently Amended) A camera with an audio reproduction function, comprising:

- an image pick-up device which converts an optical image into an electrical signal;

- an image-capturing instructing device which instructs the start of a picture taking operation with the image pick-up device;

- a signal processing device which processes the electrical signal obtained by the image pick-up device to convert it into the image data;

- a recording device which records the image data obtained by the signal processing device on a recording medium;

- a reproduction processing device which reproduces an audio file recorded on the recording medium;

- an audio output device which outputs the audio reproduced by the reproduction processing device audibly;

- a device which detects an empty capacity of the recording medium;

- a device which determines an estimated recording data amount of image acquired by an image-capturing operation using the image pick-up device; and

- a control device which controls selective deleting of an audio file from said recording medium, wherein, when the empty capacity of the recording medium is less than the estimated recording amount, said control device controls selective deleting by controlling said reproduction processing device to reproduce a portion of an audio file that is a candidate deletion object for output by said audio output device and deletes the candidate deletion object upon determining that an operator is proceeding with a previously-initiated picture taking operation;

wherein deletion of the candidate deletion object is performed in an image capturing sequence upon executing image capturing instructions when the operator presses fully a shutter button during the picture taking operation.

5.-8. (Canceled).

9. (Previously presented) The camera according to claim 4, wherein said control device prevents deletion of the candidate deletion object when the operator stops a previously-initiated picture taking operation.

10. (Previously presented) The camera according to claim 9, wherein said control device selectively designates a different audio file as a candidate deletion object after the operator stops the previously-initiated picture taking operation.

11. (Previously presented) The camera according to claim 4, wherein said image-capturing instructing device is a shutter button.

12. (Previously presented) The camera according to claim 4, wherein said image-capturing instructing device is a shutter button, and the operator releases the shutter button to indicate that the candidate deletion object should not be deleted.

13. (Previously presented) The camera according to claim 4, wherein said control device deletes the candidate deletion object before the image pick-up device captures an optical image.

14. (Withdrawn) The camera according to claim 4, wherein said control device deletes the candidate deletion object after the image pick-up device captures an optical image.

15. (Withdrawn) The camera according to claim 4, wherein the candidate deletion object is selected based on the file size of the corresponding audio file.

16. (Previously presented) A camera with an audio reproduction function, comprising:

- an image pick-up device which converts an optical image into an electrical signal;

- an image-capturing instructing device which instructs the start of a picture taking operation with the image pick-up device;

- a signal processing device which processes the electrical signal obtained by the image pick-up device to convert it into the image data;

- a recording device which records the image data obtained by the signal processing device on a recording medium;

- a reproduction processing device which reproduces an audio file recorded on the recording medium;

- an audio output device which outputs the audio reproduced by the reproduction processing device audibly;

- a device which detects an empty capacity of the recording medium;

- a device which determines an estimated recording data amount of image acquired by an image-capturing operation using the image pick-up device; and

- a control device which controls selective deleting of an audio file from said recording medium, wherein, when the empty capacity of the recording medium is less than the estimated recording amount, said control device controls selective deleting by controlling said reproduction processing device to reproduce a portion of an audio file that is a candidate deletion object for

output by said audio output device and deletes the candidate deletion object upon determining that an operator is proceeding with a previously-initiated picture taking operation

wherein deletion of music is performed in an image capturing sequence; and

wherein when the shutter is at a location half depressed, if an empty area of the recording medium is not enough, a music file that is a deletion object is reproduced, and when the shutter button is at a location fully depressed without interruption, the music file is deleted, and the image-capturing operation is performed and the captured image is recorded, and when the shutter button is restored and is not depressed after the reproduction of the music file, deletion of the music file is not performed.

Claim 17. (Currently amended) A video and audio device, comprising:

an image capturing device that performs an image capturing operation by converting received optical signals into captured image data;

an audio reproducing device that reproduces audio signals from digital audio data;

a memory card accessed by the image capturing device and audio reproducing device, that stores one or both of audio data and image data including image captured data;

a device that estimates the amount of image data acquired from an image capturing operation; and

a control device which controls the storing of captured image data in the memory card, wherein if the memory card capacity is less than the estimated amount of image data, the captured image data is stored in an internal memory of the image capturing device and if audio data is stored in the memory card, a selected audio data is only deleted from the memory card and the captured image data is transferred from the internal memory to the memory card upon

deletion of the audio data and if audio data is not stored in the memory, the image capturing operation is inhibited.

Claim 18. (Previously Presented) The video and audio device according to claim 17, wherein said control device determines whether or not audio data is stored in the memory card, wherein if audio data is not stored in the memory card, the control device inhibits the image capturing operation, while if audio data is stored in the memory card, the control device allows the image capturing operation to be completed, stores the captured image data in the internal memory and after deleting the selected audio data, the control device transfers the captured image data from the internal memory to the memory card.